

# Naples City Council

## April 22, 2010

### Minutes

The regularly scheduled meeting of the Naples City Council was held April 22, 2010, at 7:30 p.m. at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

#### *DATE, TIME & PLACE OF MEETING*

Council members attending were Dean Baker, Robert Hall, Gordon Kitchen, Dennis Long, Dan Olsen and Kenneth Reynolds.

#### *COUNCIL MEMBERS ATTENDING*

Others attending were Jim Harper, Adam Massey, Guy Collett, Dee Collett, Denay Hardinger, Dennis Toland, Janice Hunting, Reid Merrell, Marquita Hammond, Boyd Merrell, Valle Mortensen, Kathy Southam, Ellen Mecham, Connie Patton, Mark Watkins, Chris Hoem, Craig Blunt, and Nikki Kay.

#### *OTHERS ATTENDING*

Mayor Dean Baker welcomed everyone and called the meeting to order at 7:30 p.m. Mayor Baker opened the meeting with the pledge of allegiance and Gordon Kitchen offered the invocation.

#### *OPENING CEREMONY*

Mayor Baker added a closed session to the agenda after item ten and asked if there were any other changes. Robert Hall **moved** to approve the agenda as amended. Dennis Long **seconded** the motion. The motion passed with all voting aye.

#### *AGENDA APPROVED*

Mayor Baker asked for approval of the minutes of April 8, 2010. Ken Reynolds **moved** to approve the minutes of April 8, 2010. Dennis Long **seconded** the motion. The motion passed with a majority vote. Gordon Kitchen abstained.

#### *MINUTES APPROVED*

Councilman Long asked Craig about the Cover-All Building. Craig said he has not been given any date for delivery.

#### *FOLLOW UP ITEMS FROM PREVIOUS MEETING*

Connie Patton presented the bills in the amount of \$42,959.86 and requested approval to pay them. Robert Hall **moved** to approve payment of the bills in the amount of \$42,959.86. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

#### *APPROVAL OF THE BILLS*

Robert Hall

Aye

Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Craig Blunt said the reports for the assisted living facility were not scheduled until 8:00 p.m. Dan Olsen **moved** to table this discussion until 8:00 p.m. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

## ***PROPOSALS FOR ASSISTED LIVING FACILITY***

**Flowers for Hwy. 40** - Jim Harper came before the Council to request \$3,850 for the purchase of flowers to be placed in the cement planters along Highway 40 and at other businesses in the City. Jim said he spoke with business owners about the flowers and it was agreed that the City would purchase the flowers and the businesses will water them and maintain the planters. Dennis Long **moved** to approve the purchase. Ken Reynolds **seconded** the motion. The motion passed with the following roll call vote:

## ***EXPENDITURES***

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

**Fabrication of shop stairway** - Jim Harper asked the Council to approve \$1,545 for the fabrication of a new metal staircase at the shop. Jim said the old staircase leading to the loft above the office is very dangerous and it was suggested by the insurance company to replace it. Jim told the Council that he sent out a request for bids and only received one back from Industrial Machine Welding. Jim said the stairs would have grip strip treads for slip resistance. Mayor Baker wanted to know if it would be moveable. Jim said the stairs would be fixed. Robert Hall **moved** to approve the expenditure. Ken Reynolds **seconded** the motion. The motion passed as follows:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

**Herbicide for weed control** - Ryan Cook presented the

Council members with a cost sheet for the purchase of herbicides necessary for this years weed spraying. Ryan told the Council that it is cost effective to purchase along with the County, he receives a better price for the herbicides. Ryan said the total cost would be \$614.06. Ken Reynolds **moved** to approve \$614.06 for herbicides. Dennis Long **seconded** the motion. The motion passed with a roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

**Defibrillator pads and batteries** - Chief Watkins asked the Council if they wanted to continue the use of defibrillators in the patrol cars, at the City office and City shop. Chief Watkins said the batteries in the defibrillators need to be replaced every five years and the pads every two years. He said this would cost the City \$281 every two years and \$1,009 every five years. Chief Watkins wanted to know if the Council wanted to keep the defibrillators and if so, he would need to update the training of his officers on the use of the defibrillators. His question to the Council was if they want to stick with the defibs and pay the cost to update them right now and budget for future maintenance of them. The Council agreed they wanted to continue to have the defibrillators. Dennis Long **moved** to approve \$1,491.40 to update the defibs. Ken Reynolds **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

**Tankless water heater** - Craig Blunt told the Council the City shop was built in 1994 and he would like to expend funds to update to a more efficient water heating system. Craig wanted the Council to consider replacing the gas water heater with a tankless water heater. Craig said the installation of the water heater, including the heater, is \$2,039. Councilman Olsen said the City could pay for it in two years with the savings. Robert Hall **moved** to approve the expenditure. Dan Olsen **seconded** the motion. The motion passed with all voting aye on roll call:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

**Lighting system at shop** - Craig explained to the Council that the existing exterior lighting system at the shop consists of a metal arm that hangs down and over the years the winter ice has destroyed two of the lights. Craig was asking for approval to replace all of the lights with the square wall mount type. Dan Olsen **moved** to approve the expenditure for four lights (total of \$1,238.80). Dennis Long **seconded** the motion. The motion passed with a roll call vote as follows:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Chief Watkins asked for Council approval to send Kim Kay to St. George to attend the TAC (Terminal Agency Coordinator) training meeting. Chief Watkins explained the training was mandatory to keep in standing with the conditions set by the Bureau of Criminal Identification. The amount requested for travel and training was \$445. Gordon Kitchen **moved** to approve the travel. Ken Reynolds **seconded** the motion. The motion passed as follows:

#### ***TRAVEL APPROVAL***

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Connie Patton asked for approval to attend the Utah Public Treasurers Conference in St. George. The travel form was not available but Connie stated it was just under \$700. Dennis Long **moved** to approve up to \$700 for the travel. Ken Reynolds **seconded** the motion. The motion passed with the following roll call:

Robert Hall	Aye
Dan Olsen	Aye

Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Craig Blunt told the Council that he has been dealing with complaints from people living near the abandoned Tuscany Condos and from people living in Sunstone Subdivision. Craig explained, without a Nuisance Ordinance, he does not have help in getting owners to abate those nuisances. Craig said the Nuisance Ordinance the City used to have allowed for the City to clean up the property and then attach the charges to the property. Craig asked the Council to review page two, A-J. He said if the Council did not feel comfortable with any nuisances listed they should make note of it. Craig said they could incorporate into the Ordinance that enforcement would occur only upon a received complaint. Craig said the Ordinance would be written so any violations would have to go through a court proceeding and the Council would then be the Board of Review. Mayor Baker said the complaints received would need to be in writing and signed by the person complaining. A discussion was held regarding the terms "inoperable or abandoned vehicles." Craig said maybe the property owner could somehow screen the inoperable vehicle from view, either behind a cover or obscure fence. Councilman Hall wanted to know about someone having an allotted number of animals but those animals not being contained on properly irrigated fields. Craig said those issues should be covered in the animal control ordinance or land use ordinance where an owner is required to have their animals in a field that can be irrigated and kept green and not cause a dust bowl. The Council advised Craig to revise the Nuisance Ordinance with the changes discussed and bring it back to the next meeting.

Robert Hall **moved** to go back to item five, the assisted living project proposals. Dennis Long **seconded** the motion. The motion passed with all voting aye.

Craig Blunt said the City put out a request for proposals for an assisted living facility. Craig said there is a need in the area for such a facility and the City has tried in the past to find a way to get such a facility in the area. Craig explained that the City recently purchased land for the purpose of finding someone willing to build and manage such a facility. Craig told those in attendance that one proposal for an assisted living facility was submitted, that proposal was from Beehive Homes. Craig turned the time over to Guy Collett

### ***DISCUSSION REGARDING NUISANCE ORDINANCE***

### ***MOTION TO MOVE BACK TO ASSISTED LIVING PROJECT PROPOSALS***

### ***PROPOSALS FOR ASSISTED LIVING PROJECT***

from Beehive Homes to explain his proposal. Mr. Collett explained how he and his wife Dee first became involved with Beehive Homes and how long they have been managing the facilities in Vernal. Mr. Collett introduced Dennis Toland who started Beehive Homes twenty-three years ago. Mr. Collett said Beehive Homes provides the policies and procedures in order to run and operate assisted living homes and they have helped him stay current and up to date with state codes and regulations. Mr. Collett introduced Janice Hunting, manger of Beehive Home #1 (Maeser Home). He introduced Ellen Mecham, manager of Beehive Home #2 (Glines Home). Mr. Collett asked Boyd Merrell and Marquita Hammond to talk about the care given to Boyd's father at one of the homes. Marquita Hammond, daughter of Boyd, spoke about the care given her grandfather at Beehive Homes.

Mrs. Hammond said they couldn't say enough about the wonderful care given her grandfather while he was at Beehive Homes. She said her grandfather offered some resistance at first about going but once he was there he loved it. Mrs. Hammond said he received more than clinical care, lots of love was also given. She expressed her appreciation for the love and compassion given to her grandfather and saw that same love extended to others that stayed there.

Mr. Toland explained how he started the first Beehive Home, it began with his grandparents. He said after having such success with it, his accountant encouraged he and his wife to build other homes. Mr. Toland said they kept expanding with friends and family that wanted them to build homes where they live. He stated they wanted to provide the same care to others that they wanted for their grandparents and they wanted to make sure that people like Mr. Merrell were taken care of. Mr. Tolman praised Guy and his wife for the wonderful job they do of running the homes.

Mr. Collett asked Adam Massey to come and speak about his mom. Mr. Collett said Mr. Massey's mom has lived at one of their homes for the last four years. Mr. Massey explained that after his father passed his mother became unwell and for a while she was placed in the care center, he said it was very hard for him to have her in there. When she started to feel better they looked around to find somewhere else she might be able to stay. Mr. Massey said they checked into the Beehive Home and he thought there was a great spirit at the Beehive Home. Mr. Massey stated the facilities are smaller

and so the residents can develop relationships with the other residents. He said he appreciates the care given to his mom and it helps her to have her own room and bathroom. He asked him mom why she liked it and she told him she likes the relationships that she has formed. Mr. Massey expressed his appreciation for Guy and his staff and all they are willing to do for his mom.

Mr. Collett then introduced some of the nurses he has at the facilities, Denay Hardinger, Kathy Southam, and Valle Mortensen. He said they have a highly qualified staff to help with all the residents needs.

Mr. Collett referred the Council to the response section near the end of the proposal he presented. He pointed out the floor plan of the facility they would like to build. He said the facility they would like to build on the property in Naples would have sixteen beds. Mr. Collett said the plans need to be approved by the state as soon as the City notifies them if they have the property. He said they would then like to go after funding and try to find a contractor by July. He said it takes seven to nine months to build homes and they would like to open their doors June of 2011. The projected cost for the facility is \$850,000. Mr. Collett said he would like to use the land owned by Naples City as collateral and down payment in going after money for the construction of the facility. Mr. Collett told the Council that Grand Valley bank has financed the remodel on home #2. Mr. Collett invited the Council to please come and visit the home in Glines and walk through it. The Mayor and Council thanked Mr. Collett for coming and told him they should have a decision by May 13<sup>th</sup>.

Mayor Baker asked Councilman Reynolds about the previous discussion at Planning & Zoning regarding the commission members. Councilman Reynolds told the Council that at the last meeting they did not have a full quorum because not enough regular members were in attendance. The Commission discussed if it would be possible, if a regular member were going to be gone for an extended length of time, to move an alternate member into that position and make them a regular member with the Council's approval. Councilman Kitchen wanted to know if it had to be approved by the Council. Mayor Baker asked Chris Hoem if they would at least notify the Council of a change but the change didn't necessarily have to be approved by Council because the

***DISCUSSION REGARDING  
PLANNING COMMISSION  
MEMBERS***

Council has already approved the Commission membership, including the alternates. It was noted that those changes would need to be made to the bylaws. Mayor Baker said the change could read 'the regular member is released as a full member and the next senior member is moved into that spot.' Councilman Kitchen wanted to know why an alternate couldn't just move into a voting position without notifying the Council. Councilman Kitchen said the Recreation District bylaws say an alternate member can be moved in any time there is an absence and they do not have a full quorum, he didn't know why the Commission bylaws were so restrictive. He didn't know why the alternate members couldn't move into that voting position for an absent member with an appointment by the Chairman. Mayor Baker didn't want members to miss a meeting just because they didn't want to deal with a matter that might be on the agenda for discussion. Chris Hoem arrived at this time and Councilman Reynolds told him about the discussion on allowing alternate members to vote proxy in place of a regular member who is not in attendance. Councilman Reynolds wanted to know if the Planning Commission could try it and if it doesn't work they can change it. Councilman Kitchen suggested Chris contact the Recreation District and review their bylaws. Council members asked Chris to bring the changes back for their approval. Council members felt it would be better if a Commission member resigned if they knew they were going to be gone for an extended period of time and reapply when they returned and were able to serve.

Craig Blunt told the Council that the Utah Local Governments Trust was looking for Board members to serve if anyone was interested.

#### ***OTHER MATTERS***

Councilman Hall wanted to know how many people signed up for the exhibition softball game. Craig said nine people had signed up so far. Councilman Olsen wanted to know if the fire department could take the fast attack truck down and wash off the sidewalks. Craig said he would get with Neal Cathey and find out.

Robert Hall **moved** to go into a closed session to discuss the character, professional competence, physical or mental health of an individual. Dennis Long **seconded** the motion. The motion passed with the following roll call vote:

#### ***CLOSED SESSION***

Robert Hall	Aye
Dan Olsen	Aye



Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Dennis Long **moved** to come of out of the closed session.  
Ken Reynolds **seconded** the motion. The motion passed  
with all voting aye.

With no other business before the Council, Kenneth Reynolds  
**moved** to adjourn the meeting at 9:30 p.m. Robert Hall  
**seconded** the motion. The meeting was adjourned

***MOTION TO ADJOURN***

APPROVED BY COUNCIL ON THE 13<sup>th</sup> DAY OF MAY 2010

BY: \_\_\_\_\_

ATTEST: \_\_\_\_\_